

ATTORNEY/DOCKET NO.

VAND3026/FJD

DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below named inventor, I hereby declare that my residence, past office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable) entitled:

the specification of which (check one):

☐ is attached hereto, or ☒ was filed on: **December 17, 2002** as PCT International Application Number: **PCT/ZA02/00209**

and (if applicable) was amended on:

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge my duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56. I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			PRIORITY CLAIMED	
Number	Country	Day/Month/Year Filed	Yes	No
ZA2001/5469	South Africa	03 January 2002	X	
ZA2001/5470	South Africa	03 January 2002	X	

☐ Additional Priority Application(s) Listed on Following Page(s)

I HEREBY CLAIM THE BENEFIT UNDER TITLE 38 U.S. CODE §119(e) OF ANY U.S. PROVISIONAL APPLICATIONS LISTED BELOW.

Application Number	Day/Month/Year Filed

☐ Additional Provisional Application(s) Listed on Following Page(s)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application Number	Filing Date	Status - Patented, Pending or Abandoned

☐ Additional US/PCT Priority Application(s) listed on Following Page(s)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: J. Ernest Kearney, Reg. No. 19,179; Eugene Mar, Reg. No. 25,893; Richard E. Fichter, Reg. No. 26,382; Thomas J. Moore, Reg. No. 28,974; Eric S. Spector, Reg. No. 22,495; Felix J. D'Ambrosio, Reg. No. 25,721; Joseph DeBenedictis, Reg. No. 28,502; Benjamin H. Ursin, Reg. No. 33,805; and

I (we) authorize my (our) attorneys to accept and follow instructions from McCallum Rademeyer & Freimond, regarding any matter related to the preparation, examination, grant and maintenance of this application, any continuation, continuation-in-part or divisional based thereon, and any patent resulting therefrom, until I (we) or my (our) assigns withdraw this authorization in writing.

Send correspondence to: **BACON & THOMAS, PLLC**
625 Stivers Lane - 4th Floor
Alexandria, VA 22314-1176


Telephone Calls to: (703) 683-0500

FULL NAME OF FIRST OR SOLE INVENTOR Andis VANDYK	CITIZENSHIP South Africa
RESIDENCE ADDRESS 223 Eland Street Witanda Park, Oremion Pretoria, 0002 South Africa	POST OFFICE ADDRESS IS THE SAME AS RESIDENCE ADDRESS UNLESS OTHERWISE SHOWN BELOW

Further, as noted in the attached petition, due to the inventor's refusal to sign the Declaration, the assignee of the application, NXCO International Limited, is acting as the 37 C.F.R. 1.47(b) applicant. Acting as the authorized agent of NXCO International Limited is Edward Walensy Tota, the General Manager of NXCO International Limited, who is signing the Declaration on behalf of the non-signing inventor.

Full Name of Person Signing on Behalf of Non-Signing Inventor	Family Name TOTA	First Given Name Edward	Second Given Name Walensy
Title	General Manager of NXCO International Limited		
Post Office Address	Suffrey Square, Suite 205, Bank Lane, Nassau, Bahamas		

37 CFR 1.47(b)
Applicant Signing
on Behalf of Non-
Signing Inventor


Edward Walensy TOTA

Date 24 January 2005

The above application may be more particularly identified as follows:

U.S. Application Serial No. 10/500,356 Filing Date June 30, 2004

Applicant Reference Number P.20293/MAJR Attorney Docket No. VAND3026.F.1D

Title of Invention ACTIVATED STEMMING DEVICE